

**Fill in this information to identify the case:**

Debtor 1 Ray Nelson

Debtor 2 Myrtle Nelson  
(Spouse, if filing)

United States Bankruptcy Court for the: Eastern District of Michigan

Case number 15-50626-mlo

## Official Form 410S1

**Notice of Mortgage Payment Change**

12/15

If the debtor's plan provides for payment of postpetition contractual installments on your claim secured by a security interest in the debtor's principal residence, you must use this form to give notice of any changes in the installment payment amount. File this form as a supplement to your proof of claim at least 21 days before the new payment amount is due. See Bankruptcy Rule 3002.1.

U.S. Bank Trust National Association  
Name of creditor: as Trustee of the Cabana Series III Trust

Court claim no. (if known): 5-2

Last 4 digits of any number you use to  
identify the debtor's account: 2 8 2 7

Date of payment change:  
Must be at least 21 days after date  
of this notice 09/01/2021

New total payment: \$ 1,214.82  
Principal, interest, and escrow, if any

**Part 1: Escrow Account Payment Adjustment****1. Will there be a change in the debtor's escrow account payment?**

- ☐ No
- ☒ Yes. Attach a copy of the escrow account statement prepared in a form consistent with applicable nonbankruptcy law. Describe the basis for the change. If a statement is not attached, explain why: \_\_\_\_\_

Current escrow payment: \$ 588.83 New escrow payment: \$ 717.23

**Part 2: Mortgage Payment Adjustment****2. Will the debtor's principal and interest payment change based on an adjustment to the interest rate on the debtor's variable-rate account?**

- ☒ No
- ☐ Yes. Attach a copy of the rate change notice prepared in a form consistent with applicable nonbankruptcy law. If a notice is not attached, explain why: \_\_\_\_\_

Current interest rate: \_\_\_\_\_% New interest rate: \_\_\_\_\_%

Current principal and interest payment: \$ \_\_\_\_\_ New principal and interest payment: \$ \_\_\_\_\_

**Part 3: Other Payment Change****3. Will there be a change in the debtor's mortgage payment for a reason not listed above?**

- ☒ No
- ☐ Yes. Attach a copy of any documents describing the basis for the change, such as a repayment plan or loan modification agreement.  
(Court approval may be required before the payment change can take effect.)

Reason for change: \_\_\_\_\_

Current mortgage payment: \$ \_\_\_\_\_ New mortgage payment: \$ \_\_\_\_\_

Debtor 1

Ray Nelson

First Name

Middle Name

Last Name

Case number (if known) 15-50626-mlo**Part 4: Sign Here**

The person completing this Notice must sign it. Sign and print your name and your title, if any, and state your address and telephone number.

Check the appropriate box.



I am the creditor.



I am the creditor's authorized agent.

**I declare under penalty of perjury that the information provided in this claim is true and correct to the best of my knowledge, information, and reasonable belief.**

**X** /s/ Molly Slutsky Simons

Signature

Date 07/09/2021

Print:

Molly Slutsky Simons

First Name

Middle Name

Last Name

Title Attorney for Creditor

Company

Sottile & Barile, Attorneys at Law

Address

394 Wards Corner Road, Suite 180

Number

Street

Loveland

City

OH

State

45140

ZIP Code

Contact phone

513-444-4100Email bankruptcy@sottileandbarile.com

RAY V NELSON  
 20100 N GREENWAY ST  
 SOUTHFIELD MI 48076

Analysis Date: July 09, 2021

Property Address: 20100 NORTH GREENWAY SOUTHFIELD, MI 48076

Final

Loan: [REDACTED]

**Annual Escrow Account Disclosure Statement  
 Account History**

This is a statement of actual activity in your escrow account from Sept 2020 to Aug 2021. Last year's anticipated activity (payments to and from your escrow account) is next to the actual activity.

<b>Payment Information</b>	<b>Current:</b>	<b>Effective Sep 01, 2021:</b>
Principal & Interest Pmt:	497.59	497.59
Escrow Payment:	588.83	717.23
Other Funds Payment:	0.00	0.00
Assistance Payment (-):	0.00	0.00
Reserve Acct Payment:	0.00	0.00
Total Payment:	\$1,086.42	\$1,214.82

<b>Escrow Balance Calculation</b>	
Due Date:	May 01, 2021
Escrow Balance:	4,725.48
Anticipated Pmts to Escrow:	2,355.32
Anticipated Pmts from Escrow (-):	7,393.21
Anticipated Escrow Balance:	(\$312.41)

Date	Payments to Escrow		Payments From Escrow		Description	Escrow Balance	
	Anticipated	Actual	Anticipated	Actual		Required	Actual
					Starting Balance	1,177.63	444.70
Sep 2020	588.83			*		1,766.46	444.70
Oct 2020	588.83	1,177.66		*		2,355.29	1,622.36
Nov 2020	588.83			*		2,944.12	1,622.36
Dec 2020	588.83		405.65	407.25	* City/Town Tax	3,127.30	1,215.11
Jan 2021	588.83	1,177.66		*		3,716.13	2,392.77
Feb 2021	588.83			*		4,304.96	2,392.77
Mar 2021	588.83	588.83				4,893.79	2,981.60
Apr 2021	588.83	588.83				5,482.62	3,570.43
May 2021	588.83	566.22		*		6,071.45	4,136.65
Jun 2021	588.83	588.83				6,660.28	4,725.48
Jul 2021	588.83		1,635.61	*	* Homeowners Policy	5,613.50	4,725.48
Aug 2021	588.83		5,024.67	*	* City/Town Tax	1,177.66	4,725.48
					Anticipated Transactions	1,177.66	4,725.48
Jul 2021		1,766.49		1,635.61	Homeowners Policy		4,856.36
Aug 2021		588.83		5,757.60	City/Town Tax		(312.41)
	\$7,065.96	\$7,043.35	\$7,065.93	\$7,800.46			

An asterisk (\*) indicates a difference from a previous estimate either in the date or the amount. If you want a further explanation, please call our toll-free number.

Last year, we anticipated that payments from your account would be made during this period equaling 7,065.93. Under Federal law, your lowest monthly balance should not have exceeded 1,177.66 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

**Annual Escrow Account Disclosure Statement  
Projections for Coming Year**

This is an estimate of activity in your escrow account during the coming year based on payments anticipated to be made to and from your account.

Date	Anticipated Payments		Description	Escrow Balance	
	To Escrow	From Escrow		Anticipated	Required
			Starting Balance	(312.41)	1,300.06
Sep 2021	650.04			337.63	1,950.10
Oct 2021	650.04			987.67	2,600.14
Nov 2021	650.04			1,637.71	3,250.18
Dec 2021	650.04	407.25	City/Town Tax	1,880.50	3,492.97
Jan 2022	650.04			2,530.54	4,143.01
Feb 2022	650.04			3,180.58	4,793.05
Mar 2022	650.04			3,830.62	5,443.09
Apr 2022	650.04			4,480.66	6,093.13
May 2022	650.04			5,130.70	6,743.17
Jun 2022	650.04			5,780.74	7,393.21
Jul 2022	650.04	1,635.61	Homeowners Policy	4,795.17	6,407.64
Aug 2022	650.04	5,757.60	City/Town Tax	(312.39)	1,300.08
	<u>\$7,800.48</u>	<u>\$7,800.46</u>			

(Please keep this statement for comparison with the actual activity in your account at the end of the escrow accounting computation year.)

Your escrow balance contains a cushion of 1,300.08. A cushion is an additional amount of funds held in your escrow balance to prevent the balance from becoming overdrawn when an increase in the disbursement amount occurs. Under Federal law, your lowest monthly balance should not exceed 1,300.08 or 1/6 of the anticipated payment from the account, unless your mortgage contract or State law specifies a lower amount. Your mortgage contract and State law are silent on this issue.

Your ending balance from the last month of the account history (escrow balance anticipated) is (312.41). Your starting balance (escrow balance required) according to this analysis should be \$1,300.06. This means you have a shortage of 1,612.47. This shortage may be collected from you over a period of 12 months or more unless the shortage is less than 1 month's deposit, in which case we have the additional option of requesting payment within 30 days. We have decided to collect it over 24 months.

We anticipate the total of your coming year bills to be 7,800.46. We divide that amount by the number of payments expected during the coming year to obtain your escrow payment.

**New Escrow Payment Calculation**

Unadjusted Escrow Payment	650.04
Surplus Amount:	0.00
Shortage Amount:	67.19
Rounding Adjustment Amount:	0.00
Escrow Payment:	<u>\$717.23</u>

**Paying the shortage:** If your shortage is paid in full, your new monthly payment will be \$1,147.63 (calculated by subtracting the Shortage Amount to the left and rounding, if applicable). Paying the shortage does not guarantee that your payment will remain the same, as your tax or insurance bills may have changed. If you would like to pay the shortage now, please pay the entire amount of the shortage before the effective date of your new payment. To ensure that the funds are posted to your account correctly, please notify your asset manager that you are paying the shortage.

**NOTICE OF RIGHT TO CANCEL PRIVATE MORTGAGE INSURANCE:** If you currently pay private mortgage insurance premiums, you may have the right to cancel the insurance. In most cases, you have the right to cancel private mortgage insurance if the principal balance of your loan is 80 percent or less of the current fair market appraised value of your home, and you have a good payment history on your loan. If you want to learn whether you are eligible to cancel this insurance, please contact us at 323 Fifth Street, Eureka, Ca 95501 or 800-603-0836.

**\* Please note if you have autopay/EFT set up on your loan, it is your responsibility to make sure your payment amount is updated. Enclosed is the EFT form that needs to be completed. Once completed, please fax to the number listed on the EFT form or return in the self-addressed envelope.**

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
DETROIT DIVISION**

In Re:

Case No. 15-50626-mlo

Ray Nelson  
Myrtle Nelson

Chapter 13

Debtors.

Judge Maria L. Oxholm

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**PROOF OF SERVICE**

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The undersigned does hereby certify that a copy of the Notice of Mortgage Payment Change has been duly electronically serviced, noticed or mailed via U.S. First Class Mail, postage prepaid on July 9, 2021 to the following:

Ray Nelson, Debtor  
20100 N. Greenway  
Southfield, MI 48076

Myrtle Nelson, Debtor  
20100 N. Greenway  
Southfield, MI 48076

Shaunay Tiesha Steel, Debtors' Counsel  
ssteellaw@gmail.com

Tammy L. Terry, Trustee  
mieb\_ecfadmin@det13.net

United States Trustee's Office  
(registeredaddress)@usdoj.gov

Respectfully Submitted,

/s/ Molly Slutsky Simons

Molly Slutsky Simons (OH 0083702)  
Sottile & Barile, Attorneys at Law  
394 Wards Corner Road, Suite 180  
Loveland, OH 45140  
Phone: 513.444.4100  
Email: bankruptcy@sottileandbarile.com  
Attorney for Creditor

